

Report Date: April 26, 2013

United States District Court

for the

Eastern District of WashingtonFILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON**APR 30 2013**SEAN F. McAVOY, CLERK
DEPUTY
YAKIMA, WASHINGTON**Petition for Warrant or Summons for Offender Under Supervision**

Name of Offender: Mario Eucebio Morales Case Number: 2:12CR02056-001
 Address of Offender: Wapato, WA 98951
 Name of Sentencing Judicial Officer: The Honorable Lonny R. Suko, U.S. District Judge
 Date of Original Sentence: 3/22/2004
 Original Offense: Conspiracy to Distribute Methamphetamine, 21 U.S.C. § 846
 Distribution of Methamphetamine, 21 U.S.C. § 841(a)(1)
 Original Sentence: Prison - 90 Months Type of Supervision: Supervised Release
 TSR - 60 Months
 Asst. U.S. Attorney: Ian Lloyd Garriques Date Supervision Commenced: 4/14/2013
 Defense Attorney: Alex B. Hernandez, III Date Supervision Expires: 12/13/2017

PETITIONING THE COURT

To issue a warrant.

The probation officer believes that the offender has violated the following conditions of supervision:

Violation Number **Nature of Noncompliance**

1 **Mandatory Condition #1:** The defendant shall report to the probation office in the district to which the defendant is released within 72 hours of release from the custody of the Bureau of Prisons.

Supporting Evidence: Mr. Morales has failed to report to the U.S. Probation Office as directed by his probation officer within 72 hours of his release from custody, as of April 17, 2013.

This officer met with Mr. Morales at the Yakima County Jail. He was directed to report to the probation office upon his release from custody. Mr. Morales was released at approximately 4:45 p.m. on April 15, 2013. The following day, Mr. Morales called and left a voice mail message he would report to my office on Wednesday, April 17, 2013, after work crew. Mr. Morales failed to report as directed upon his release from custody.

2 **Special Condition #19:** You shall complete one (1) day of work crew through the Washington State Department Corrections (DOC) per week or 8 hours of community service per week at the Yakima Habitat for Humanities, while the defendant is unemployed, unless excused by the probation officer for school, training, or other acceptable reasons.

Prob12C

Re: Morales, Mario Eucebio

April 26, 2013

Page 2

Supporting Evidence: Mr. Morales has failed to perform 1 day of work crew per week through DOC on April 17, 2013.

On April 16, 2013, Mr. Morales called and left a voice mail message on this officer's telephone stating he would be going to work crew tomorrow, April 17, 2013, and to call for him to be put on the list. Mr. Morales failed to show for work crew and has not made any other arrangements to perform community service as an alternative.

- 3 **Standard Condition #7:** The defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute, or administer any controlled substance or any paraphernalia related to any controlled substance, except as prescribed by a physician.

Supporting Evidence: Mr. Morales was under the influence of alcohol on April 25, 2013.

On April 25, 2013, this officer spoke with Mr. Morales' daughter, who reported the defendant was under the influence of alcohol and gets intoxicated daily.

- 4 **Standard Condition #3:** The defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer.

Supporting Evidence: Mr. Morales failed to report to the probation office as directed on April 26, 2013.

On April 25, 2013, this officer made an attempt to contact Mr. Morales by telephone. I spoke with Mr. Morales' daughter, who tried to get Mr. Morales on the phone, but she stated he refused to speak with this officer. She further indicated the reason Mr. Morales did not want to speak with this officer is because he was drunk. This officer then communicated with Mr. Morales' daughter by text message. She was asked that she tell the defendant to be in my office by 10 a.m. on April 26, 2013. She stated she would give him the message but also believed the defendant would not be in the office, as he has indicated to her he would rather be arrested. Mr. Morales failed to report as directed.

- 5 **Special Condition #15:** You shall undergo a substance abuse evaluation and, if indicated by a licensed/certified treatment provider, enter into and successfully complete an approved substance abuse treatment program, which could include inpatient treatment and aftercare. You shall contribute to the cost of treatment according to your ability to pay. You shall allow full reciprocal disclosure between the supervising officer and treatment provider.

Supporting Evidence: Mr. Morales has failed to enroll in drug and alcohol counseling as directed at Merit Resources Services (Merit) as of April 26, 2013.

According to Merit staff, Mr. Morales has not reported to their office nor has enrolled in any drug and alcohol treatment services as of April 26, 2013.

Prob12C

Re: Morales, Mario Eucebio

April 26, 2013

Page 3

The U.S. Probation Office respectfully recommends the Court issue a warrant for the arrest of the defendant to answer to the allegations contained in this petition.

I declare under penalty of perjury that the foregoing is true and correct.


Executed on: April 26, 2013

s/Jose Zepeda

Jose Zepeda
U.S. Probation Officer

THE COURT ORDERS

- ☐ No Action
- ☒ The Issuance of a Warrant
- ☐ The Issuance of a Summons
- ☐ Other



Signature of Judicial Officer

4/30/13

Date